

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION
v.)	
)	05-10115-JLT
JOSE ORTIZ-PEREZ.)	
)	
)	

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(A), the United States respectfully submits this status report in connection with the initial status conference scheduled for July 12, 2005.

1. Local Rule 116.3 Timing Requirements

On September 9, 2005, the government sent defendant discovery in this case including the wiretap affidavits and intercepted phone calls. The government anticipates that defense counsel will request additional time to review this discovery. The government will not oppose this request.

2. Expert Testimony

At trial on the pending indictment, the government anticipates that it will present the testimony of one or more forensic chemists regarding the content of controlled substances seized during this case. The government may also present non-expert opinion testimony and expert opinion testimony pursuant to Fed. R. Evid. 701 and 703 by law enforcement agents regarding the content and meaning of the intercepted phone calls.

3. Additional Discovery

The government anticipates providing additional discovery in this case. The defendant was the subject of ~~investigation~~ **UNITED STATES DISTRICT COURT** ~~investigation~~ **DEPT. OF JUST.** ~~investigation~~ **FILED IN OPEN COURT** ~~investigation~~ **DATE** ~~investigation~~ **9/20/05** ~~investigation~~ **N. Russ** ~~investigation~~ **Deputy Clerk** ~~investigation~~ **9/20/05**

Deputy Clerk

needs to provide further discovery.

4. Motion Date

The government anticipates that defense counsel will not be seeking a deadline for the filing of pretrial motions in this case.

5. Speedy Trial Calculations

Based on the complex nature of the case, the court should exclude from the STA calculations the time from the initial status conference on September 20, 2005 until the court's next scheduled status hearing. The government submits that 52 days have run under the 70 day clock under Section 3161(c)(1). JOSE ORTIZ-PEREZ was arraigned on July 29, 2005.

6. Anticipated Length of Trial

Given the number of co-defendants in this case, it is too early to determine whether a trial is required in this matter and the anticipated length of any such trial.

7. Final Status Conference

The government submits that an Interim Status Conference should be scheduled at the same time as the co-defendants in this matter.

Respectfully submitted, .

MICHAEL J. SULLIVAN

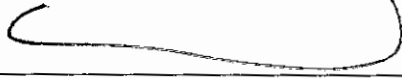
United States Attorney

By:



Neil J. Gallagher, Jr.
Assistant U.S. Attorney

By:



David Duncan
Counsel for Jose Ortiz-Perez

Date: September 20, 2005